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C O N F I D E N T I A L SECTION 01 OF 02 TEGUCIGALPA 000400

SIPDIS

STATE FOR INR/B, INL/LP, DRL/PHD, AND WHA/CEN

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TAGS: [PGOV](#) [KJUS](#) [KCRM](#) [SNAR](#) [PINR](#) [HO](#)

SUBJECT: NEW HONDURAN ATTORNEY GENERAL: THE LAW IS GOOD, IF
A MAN USES IT LAWFULLY

REF: A. TEGUCIGALPA 381

[B](#). 03 TEGUCIGALPA 2844

[C](#). 03 TEGUCIGALPA 1615

Classified By: Political Counselor Francisco Palmieri;
Reasons 1.4 (b) and (d).

[1](#)1. (C) Summary: On February 17 Ramon Ovidio Navarro Duarte was sworn in as Honduras' next Attorney General (AG), replacing outgoing AG Roy Edmundo Medina Nolasco. Navarro, a Honduran Supreme Court Justice, is expected to assume his new responsibilities on March 12. Navarro is a Nationalist Party (PN) member and long-time associate of ex-president Rafael Callejas. Navarro maintains close contact with other members of the Honduran political/economic elite who are committed to maintaining the status quo. As such, it remains to be seen what type of zeal he will demonstrate at the Public Ministry (PM) to aggressively pursue criminal and corruption cases against high level individuals. Post believes, however, that he will improve the PM's performance in prosecuting low-level street crime and in working more collaboratively with the other judicial and law enforcement entities in Honduras. End Summary

[1](#)2. (C) On February 17 Ramon Ovidio Navarro Duarte was sworn in as Honduras' new Attorney General (AG), replacing outgoing AG Roy Edmundo Medina. Navarro, a Honduran Supreme Court Justice, is expected to assume his new responsibilities on March 12 (ref A). Navarro is linked to the "Dark Side" of the Nationalist Party (PN) and is a long-time associate of ex-president Rafael Callejas, who himself has been accused of corrupt practices. Navarro was, in fact, an integral member of Callejas' legal defense team during his mid-1990's corruption scandals. Callejas, who still exerts enormous influence within the PN, was instrumental in orchestrating Navarro's selection as AG and Navarro, despite being a sitting Supreme Court Judge, is still a member of Callejas' legal team. Navarro is also a close friend of Honduran Supreme Court President Vilma Cecilia Morales, and maintains strong personal relationships with Honduran National University Rector Guillermo Arias Perez Cadalso and Honduran Foreign Minister Leonidas Rosa Bautista, all Nationalists who supported his candidacy.

[1](#)3. (C) Navarro's selection as the new AG was guided by high ranking Nationalist Dark Side members of congress, including the President of Congress, Porfirio (Pepe) Lobo, Gilberto (Picho) Goldstein, Rodolfo Irias Navas, and Oswaldo Ramos Soto, all of whom might have something to fear from an AG with the political will to aggressively pursue high level corruption cases. Not necessarily the most qualified for the job, his selection and nomination moved forward without a concerted effort by either the Liberal Party or the non-Callejas faction of the PN to derail it. Although Honduran law requires the selection of the AG to be an open and transparent process, the rapidity of the congressional vote limited the coordination of any of the other candidates and their supporters, reminding one of fixed deals in smoke filled rooms.

[1](#)4. (U) Other candidates who had made the AG short-list were: Lidia Estella Cardona Padilla (Supreme Court Judge); Carlos Africo Madrid (Supreme Court Representative on the National Election Tribunal); Luis Enrique Galeano Milla (private attorney); and Roberto Lagos Banegas (private attorney). All AG candidates were PN members. The new Deputy Attorney General is Yuri Fernando Melara Berlios, a Liberal Party member, in keeping with tradition that the second in command at the PM represent the main opposition party.

[1](#)5. (C) Comment: After current AG Medina's dismal performance, many civil society and justice sector actors hoped that a new more aggressive, crusading, and ethical AG might usher in a new mind-set at the PM. Such a lead prosecutor might have been able to dent the pervasive corruption and sense of impunity that permeates Honduran society. However, Navarro's selection as the new AG signals that probably little will change at the PM. This is a disappointing development, particularly after the international community's and Honduran civil society's concerted efforts to promote the rule of law in Honduras and the significance of choosing a highly qualified AG. While Navarro was the presiding judge in the recent conviction and

sentencing of PN deputy Armando Avila Panchame, persistent rumors emanating from high levels within the Government of Honduras (GOH) indicate that Avila Panchame was "sacrificed" in an effort to demonstrate to the U.S. Navarro's commitment to combating drug trafficking and corruption at the highest levels (ref A). Post believes that Navarro will improve the PM's performance in prosecuting low-level crime and in working more collaboratively with the other judicial and law enforcement entities in Honduras. Despite Medina's poor leadership and the overall problems with the PM, there are many strong individual prosecutors untainted by allegations of corruption or incompetence that mar many in the PM.

16. (C) Comment Continued: It appears that Navarro is not likely to improve the rule of law in Honduras or lead an effort for needed reforms. Thus, his selection will likely not change a legal system which is desperately in need of improvement. End Comment.

Biographic Information

17. (C) Ramon Ovidio NAVARRO Duarte was born in Trujillo, Honduras, on September 17, 1938. He was selected as a member of the newly reformed Honduran Supreme Court of Justice in 2002 and continued in that capacity prior to being selected as the new AG. Navarro remains an active Nationalist Party member and is clearly identified with the Dark Side of the party. Prior to joining the Supreme Court Navarro was a professor of labor law at the Honduran National Autonomous University (UNAH). At one point, Navarro served as Vice Minister at the Honduran Ministry of Government and Justice and was head of, and legal advisor to, the Honduran Institute of Social Security.

18. (U) Navarro has considerable judicial experience and is known as an able litigator. He was a judge in the Court of Appeals in San Pedro Sula, an appellate level Administrative Law Judge, and an interim judge for the Honduran Registry of Property. Navarro holds a 1965 degree in law from UNAH and his Bachelors degree is from a local university in San Pedro Sula. Navarro is married to Ingrid E. Vasquez. He does not speak English.

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